613.15B Wrongful birth or wrongful life cause of action — prohibitions — exceptions.

- 1. A cause of action shall not arise and damages shall not be awarded, on behalf of any person, based on a wrongful birth claim that, but for an act or omission of the defendant, a child would not or should not have been born.
- 2. A cause of action shall not arise and damages shall not be awarded, on behalf of any person, based on a wrongful life claim that, but for an act or omission of the defendant, the person bringing the action would not or should not have been born.
- 3. The prohibitions specified in this section apply to any claim regardless of whether the child is born healthy or with a birth defect or disorder or other adverse medical condition. However, the prohibitions specified in this section shall not apply to any of the following:
- a. A civil action for damages for an intentional or grossly negligent act or omission, including any act or omission that constitutes a public offense.
- b. A civil action for damages for the intentional failure of a physician to comply with the duty imposed by licensure pursuant to chapter 148 to provide a patient with all information reasonably necessary to make decisions about a pregnancy.

2018 Acts, ch 1165, §118 - 120

Section applies on or after June 1, 2018, to causes of action that accrue on or after that date; a cause of action accruing before June 1, 2018, is governed by law in effect prior to June 1, 2018; 2018 Acts, ch 1165, §119, 120